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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

NEETA THAKUR, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, et al.,

Defendants.

Case No. 3:25-cv-4737

DECLARATION OF LOUISE WELLS BEDSWORTH

DECLARATION OF LOUISE WELLS BEDSWORTH

I, Louise Wells Bedsworth, declare as follows:

1. I have personal knowledge of the facts contained in this declaration and, if called as a witness, could and would testify competently to those facts.

2. I currently hold the following positions at the University of California, Berkeley School of Law: Executive Director at the Center for Law, Energy, and the Environment ("CLEE"), Director of the Land Use Program at the Center for Law, Energy, and the Environment, and Senior Advisor at the California-China Climate Institute. A true and correct copy of my curriculum vitae, with personal information redacted, is attached as **Exhibit A**.

3. I received a B.S. in Earth, Atmospheric, and Planetary Sciences, with a minor in Environmental Engineering, from the Massachusetts Institute of Technology in 1996, an M.S. in Environmental Engineering from the University of California at Berkeley in 1997 and a Ph.D. in Energy and Resources from the University of California at Berkeley in 2002. I subsequently worked as a Senior Vehicles Analyst at the Union of Concerned Scientists from 2003 to 2006, and I was a research fellow at the Public Policy Institute of California from 2006 to 2011, where my work focused on climate change adaptation, local government action on climate change, and transportation. I served from 2011 to 2018 as a Senior Researcher and then Deputy Director of the Office of Planning and Research in Governor Jerry Brown's office, where I led work on several collaborative research initiatives, including on climate change adaptation and resilience. Specifically, I developed the Integrated Climate Adaptation and Resiliency Program and implemented the State of California's $70 million grant awarded under the National Disaster Resilience Competition. I simultaneously worked from 2014 to 2017 as a Visiting Researcher at the University of California, Davis, at the Policy Institute for Energy, Environment, and Economy. There I was a principal investigator on an EPA-funded research program examining how to work with managers to prepare for extreme event impacts on air and water quality in California. From 2018 to 2021, I served as Executive Director of the California Strategic Growth Council, a Cabinet-level State institution that brings together multiple agencies and departments to support sustainable communities emphasizing strong economies, social equity, and

environmental stewardship. I was also a policy fellow from 2021 to 2022 at the University of California, Berkeley School of Law. There, I co-designed and taught a course on California Climate Law and Policy in 2024.

4. I have obtained recognition and won numerous national and international awards throughout my career, including the following: the Science in Public Service Award from the California Council on Science and Technology in 2020; Council on Foundations Wilmer Shields Rich Bronze Award for Excellence in Communications in 2005; University of California Dissertation Year Fellowship from 2001 to 2002; Science to Achieve Results Graduate Fellowship from the Environmental Protection Agency from 1998 to 2001; Outstanding Graduate Student Instructor Award in 2001; Young Scientists' Summer Program at the International Institute of Applied Systems Analysis in 1998; and the Department of Energy Science and Engineering Research Semester at Lawrence Livermore National Laboratory in 1996.

5. The CLEE, where I am currently the Executive Director, collaborates with lawyers, policymakers, academics, environmental scientists, and others, for the equitable implementation of environmental laws, such as transportation and land use, carbon and methane emissions, and water use and regulation. The CLEE projects involve designing, creating, and evaluating community-scale climate action programs that have served as models for other cities, states, and nations, including fleets of electrified buses, car-sharing programs, free solar panel installations, urban gardening and forestry projects in well-known "food deserts," programs to prevent food waste, and plans to encourage community engagement, workforce development, and affordable housing.

6. My research has focused on the most equitable implementation of the world's most progressive climate legislation, involving interdisciplinary collaborations that reach into every aspect of environmental regulations. I have authored over 35 publications, which most recently include: (1) Jinnah, S., S. Talati, L Bedsworth, M Gerrard, M Kleeman, R Lempert, K Mach, L Nurse, H Olayiwola Patrick, M Sugiyama. 2024. Do small outdoor geoengineering experiments require governance? *Science* 385(6709): 600-603. DOI: 10.1126/science.adn285; and (2) Baker, Z., J Ekstrom, K. Meagher, BL Preston, and L. Bedsworth. 2020. The Social Structure

of Climate Research and Practitioner Engagement: Evidence from California. *Global Environmental Change* 63: https://doi.org/10.1016/j.gloenvcha.2020.10207.

7. I have been the recipient of various research grants and gifts for my work from governmental and private sources, many of which have been multi-year awards. My team at the CLEE is almost entirely supported by grants. Throughout my career, I have never before received a notice from any private, federal, or state institution freezing or terminating previously awarded funding, until the Department of Energy ("DOE") terminated a previously awarded grant that had been funding active research work, as detailed below.

Application for Grant Funding from the DOE

8. I submitted, as Principal Investigator, with The Regents of the University of California, on behalf of the University of California, Berkeley, a proposal for financial assistance ("Proposal") to the DOE for a project titled "Feasibility Study to Co-Create a Community Alliance for Direct Air Capture" (the "CALDAC Project").

9. As the Statement of Project Objectives for the CALDAC Project explained:

> This project will undertake a comprehensive assessment of the technical, social and governance feasibility of establishing a Community Alliance for Direct Air Capture (CALDAC) in California. This innovative effort invites the local community to be the center of Direct Air Capture (DAC) Hub development. The feasibility assessment will include two intersecting and interconnected elements:
> - Development of the DAC Hub structure and assessment of the technical feasibility of the DAC Hub, including technology partners, location, business model, and CO2 storage/utilization/conversion option(s), and
> - Assessment of the social and governance feasibility of an innovative, community-led ownership model and community benefits plan that engages local stakeholders as core partners.

10. The project was designed to test both the technical and social feasibility of a Direct Air Capture ("DAC") hub. The project included a diverse partnership of DAC companies, energy companies, carbon dioxide to product companies, community organizations (Valley Onward and Central California Asthma Collaborative), and researchers from UC Berkeley, California State University Bakersfield (CSU Bakersfiled), California State University Fresno (Fresno State), EPRI, AECOM, PSE Clean Energy, and Lawrence Berkeley National Laboratory.

11. The Proposal to the DOE for the CALDAC Project requested $2,999,999 from the

DOE for the entire project period, for a two-year period (August 1, 2024 – July 31, 2026); I was identified on the Proposal as the Principal Investigator. The requested funds were for the partial salary for myself as Principal Investigator, the partial salary for a Project Manager, funding for two graduate student researchers, and financial support for 13 subawardees, including: Lawrence Berkeley National Laboratory, CSU Bakersfield, Fresno State University, and four direct air capture technology providers.

12. A true and correct copy of the Proposal to the DOE is attached as **Exhibit B**.

Award of Grant Funding for Grant Award

13. The DOE executed an Assistance Agreement (the "Grant Award"), granting Award No. FE0032383 to The Regents of the University of California, Sponsored Projects Office. The Grant Award was awarded for a total of 2 years, for an amount of $1,105,878 for the first budget period from August 1, 2024 through April 30, 2025, and an additional award of $1,538,928 for the second budget period from May 1, 2025 through July 31, 2026, for a total award amount from the DOE of $2,644,806.[1] The statutory authority for the award was 42 U.S.C. 16298d.

14. A true and correct copy of the Grant Award is attached as **Exhibit C**.

15. My team and I began work on the CALDAC Project on August 1, 2024, focusing on stakeholder and community engagement, site selection, and development of a framework to guide the project. Through stakeholder engagement, we identified key priorities for site selection. Due to stakeholder feedback, we had made progress to shift the location of the project to a new site that would provide opportunities for greater community engagement.

Termination of Grant Funding

16. On October 2, 2025, Noam Pines, an Associate Director in UC Berkeley's

[1] While the amount of $1,373,215 was requested for the first budget period, only $1,105,878 was awarded by the DOE. The discrepancy is due to an error in how a cost share award from the California Energy Commission was included in the project budget submitted with the application. The DOE recognized the error and confirmed that it would adjust the award amount to the requested amount through an amendment. However, the amendment was never entered into due to disruptions at the DOE.

Sponsored Projects Office, was issued a letter from Vicki Michetti, the Head of Contracting Activity at the Office of Fossil Energy and Carbon Management at the DOE (the "First Termination Letter"). The First Termination Letter indicated that "FE0032382 is hereby terminated in its entirety pursuant to 2 CFR 200.340" and instructed that UC Berkeley researchers "make every reasonable effort to immediately discontinue project costs after the effective termination date of October 2, 2025." A true and correct copy of the First Termination Letter is attached as **Exhibit D**.

17. On October 10, 2025, a second letter was issued to Noam Pines from Vicki Michetti (the "Second Termination Letter"). The Second Termination Letter was essentially identical in substance as the First Termination Letter, but indicated that the effective termination date of financial assistance award FE0032382 was October 10, 2025. A true and correct copy of the Second Termination Letter is attached as **Exhibit E**.

18. I, my team, and the public interest have all suffered harm as a result of the CALDAC Project's grant termination. Termination of this grant resulted in financial harm to the CLEE by reducing funds available for researcher and staff salaries. Termination of this grant resulted in the loss of a $300,000 grant from the California Energy Commission and significant cost share contributions from project partners, which further reduced or eliminated funding for researcher and staff salaries.

19. The termination also results in a lost opportunity to conduct novel research on an emerging technology. This project took an innovative approach to co-develop the feasibility study with local partners, including local government and local non-profit organizations. If successful, this could have resulted in a replicable model to accelerate energy and infrastructure development that benefits developers and host communities. The findings of this work would have provided significant opportunity to publish and share novel research with researchers and policymakers.

20. Use of DAC and other carbon removal technologies are needed to reduce and/or offset carbon emissions. DAC is also an important area of growth in the United States. Failure to scale DAC will diminish domestic innovation and lead to a loss of job creation opportunities, which can be especially important in resource-dependent communities.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Executed this 10th day of November, 2025, in Berkeley, California.

Signed by:
Louise Wells Bedsworth
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Louise Wells Bedsworth